

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
By: SHARON FRASE (SF-4906)
Assistant United States Attorney
One Saint Andrew's Plaza
New York, NY 10007
Tel. (212) 637-2329

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA, : PROOF OF SERVICE
- v - : 07 Civ. 11160 (JGK)
\$6,700.00 IN UNITED STATES :
CURRENCY, :
Defendant-in-rem. :
-----X

Abigail Seda deposes and says:

That she is employed with FSA in the Office of the United States Attorney for the Southern District of New York.

That on May 19, 2008, she served one copy of the Order to Show Cause and related papers in the manner set forth in the Order docketed on May 20, 2008 (a copy of which is attached hereto as Exhibit A).

That according to the online records of the United States Postal Service (a copy of which is provided in Exhibit B hereto), the packages addressed to Hector Chalas, Justo Oviedo Baez (at two different locations), Scott Schwartz, Esq, and Edward Donlon, Esq. were delivered.

That according to the online records of the United States Postal Service (a copy of which is provided in Exhibit C hereto), the packages addressed to Jesus Martinez Diaz and Ismael Canela delivery was attempted on May 20, 2008, and a notice was left at the address.

I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.



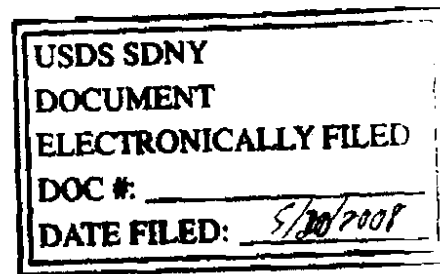
ABIGAIL SEDA

Dated: May 28, 2008
New York, New York

EXHIBIT

A

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: SHARON FRASE (SF-4906)
 Assistant United States Attorney
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 New York, NY 10007
 Tel. (212) 637-2329



UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x
 :
 UNITED STATES OF AMERICA,
 :

- v -
 :

\$6,700 in United States currency,
 :

Defendant-in-Rem
 :
 -----x

AMENDED
ORDER TO SHOW CAUSE

07 Civ. 11160 (JGK)

Upon the motion of plaintiff United States of America for a default judgment and upon the annexed Declaration of Sharon Frase, Assistant United States Attorney, together with all exhibits attached thereto, it is hereby:

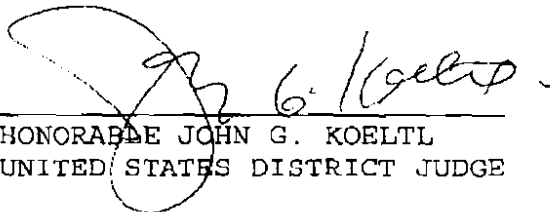
ORDERED that Assistant United States Attorney Sharon Frase and any individuals and entities who wish to oppose plaintiff's claim for forfeiture and assert an interest in the defendant-in-rem funds appear before the Honorable John G. Koeltl, United States District Judge, Southern District of New York, in Courtroom 12B of the United States Courthouse, 500 Pearl Street, New York, New York, at 11 ³⁰ A.m. on the 30 day of May, 2008, to show cause why a default judgment should not be entered and the defendant-in-rem funds forfeited to the

plaintiff United States of America according to law; and it is further

ORDERED that a copy of this Order and the papers upon which it is based shall be served by May 19, 2008, upon any individual and/or entity known by the plaintiff to have an alleged interest in the defendants-in-rem by certified mail or Federal Express.

Dated: New York, New York
~~April~~, 2008

May 16, 2008


HONORABLE JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE

All those with an interest in the sum to be forfeited are advised that failure to respond to the order to show cause may be grounds for a default judgment being entered against it, in which event there will be no trial.

The Government shall file proof of service for order to show cause by May 28, 2008

2

SO ORDERED

5/2/08 
U.S.D.S.

Exhibit 1

Hector Chalas [REDACTED] Bronx, NY, 10456	Ismael Canela, [REDACTED] Bronx, NY 10452
Edward Donlon, Esq. 67 Wall Street, 22 nd Fl. New York, NY 10005	Jesus Martinez Diaz [REDACTED] Bronx, NY 10455;
Scott Schwartz, Esq. 67 Wall Street, Suite 2211 New York, NY 10005	Justo Oviedo Baez [REDACTED] Bronx, NY 10456
Justo Oviedo Baez [REDACTED] New York, NY 10031	

EXHIBIT

B


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Label/Receipt Number: 7003 2260 0000 4034 5048

 Status: **Delivered**

Your item was delivered at 3:11 PM on May 20, 2008 in BRONX, NY 10456.

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	
Sent to: Hector Chalas Street or P.O. Box: [REDACTED] City: BRONX, NY, 10456	
PS Form 3800, June 2002 See Reverse for Instructions	

Vertical label number: 7003 2260 0000 4034 5048

Handwritten notes: *Default Recs*, *Postmark Here*, *OTSC*


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Label/Receipt Number: 7003 2260 0000 4034 4997

 Status: **Delivered**

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Restricted Delivery Fee (Endorsement Required)	
To:	
By: Justo Oviedo Baez	
City: [REDACTED]	
State: [REDACTED]	
Zip: Bronx, NY 10456	
PS Form 3800, June 2002 See Reverse for Instructions	


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Label/Receipt Number: 7003 2260 0000 4034 4980
Status: **Delivered**

Your item was delivered at 12:44 PM on May 27, 2008 in NEW YORK, NY 10007.

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total	Postmark Here
Sent	Justo Oviedo Baez
Street or P.O. Box	[REDACTED]
City	New York, NY 10031
PS Form 3800, June 2002	
See Reverse for Instructions	


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Label/Receipt Number: 7003 2260 0000 4034 5000
Status: **Delivered**

Your item was delivered at 9:38 AM on May 22, 2008 in NEW YORK, NY 10005.

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Postage	\$
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Return Receipt Fee (Endorsement Required)	
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Total	
<p>Sent Scott Schwartz, Esq.</p> <p>Street or P.O. Box [REDACTED]</p> <p>City, New York, NY 10005</p>	
PS Form 3800, June 2006	

Default does
OTSC
Postmark
Here


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Label/Receipt Number: **7003 2260 0000 4034 5024**
 Status: **Delivered**

Your item was delivered at 9:38 AM on May 22, 2008 in NEW YORK, NY 10005.

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Prc	
Sent To	Edward Donlon, Esq.
Street, Apt. or PO Box	[REDACTED]
City, State	New York, NY 10005
PS Form 3800, June 2002	
See Reverse for Instructions	

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C


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Label/Receipt Number: 7003 2260 0000 4034 5017
Status: **Notice Left**

We attempted to deliver your item at 12:11 PM on May 20, 2008 in BRONX, NY 10455 and a notice was left. It can be redelivered or picked up at the Post Office. If the item is unclaimed, it will be returned to the sender. Information, if available, is updated every evening. Please check again later.

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Postage	\$
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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total P	Jesus Martinez Diaz
Sent To	[Redacted]
Street, A or PO Box	Bronx, NY 10455
City, State	
PS Form 3800, June 2002 See Reverse for Instructions	

7003 2260 0000 4034 5017

*Default does
b+sc*

Postmark
Here

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Search Results

Status: Notice Left

We attempted to deliver your item at 2:57 PM on May 20, 2008 in BRONX, NY 10452 and a notice was left. It can be redelivered or picked up at the Post Office. If the item is unclaimed, it will be returned to the sender. Information, if available, is updated every evening. Please check again later.

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
To: Ismael Canela [Redacted Address] Bronx, NY 10452	

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

\$6,700 in United States Currency

Defendant-in-rem.

PROOF OF SERVICE
07 Civ. 11160 (JGK)

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Southern District of New York
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SHARON FRASE
Assistant United States Attorney
-Of Counsel-